REMARKS

Applicants respectfully request reconsideration of the above referenced patent application in view of the amendments and remarks set forth herein, and respectfully request that the Examiner withdraw all rejections. Claims 1, 3-5, 10, 11, 20, 25 and 26 have been amended. No claims have been canceled. No claims have been added. Thus, claims 1-30 are pending.

35 U.S.C. §102 Rejections

35 U.S.C. §102(e) Rejection over *Ullmann*

The Office Action rejects claims 1, 2, 3, 5, 7, 10, 14, 19, 20, and 25 under 35 U.S.C. §102(e) as being anticipated by Ullmann et al., USPN 7,120,685 (hereinafter "*Ullmann*"). A claim is anticipated only if each and every claim element is found, either expressly or inherently described, in a single prior art reference, wherein the identical invention is shown in as complete detail as is contained in the claim. *See* M.P.E.P. §2131. For at least the following reasons, Applicants traverse the above rejection.

Applicants respectfully submit that each of the above rejected claims is not anticipated by *Ullmann*, based at least on the failure of the reference to teach (emphasis added):

> "...a **tracing module** associated with specified program code regions of an application...;
>
> a **logging module** associated with specified categories related to the network...;
>
> a **common application programming interface of the tracing module and the logging module,** whereby the tracing module and the logging module are accessed;

as variously recited in current independent claims 1, 10, 20, and 25. Applicants amend the claims herein in order to advance the application to allowance, and without agreeing with any basis for rejection of the above claims. The claim amendments are supported in the original disclosure at least by paragraphs [0009], [00013] and [00051] of the specification.

In rejecting the above claims, the Office Action seems to allege that the variously claimed logging module and tracing module are anticipated, respectively, by a message logger 232 and trace logger 234 of *Ullmann*. With reference to Fig. 2, *Ullmann* discusses a message logger 232 and trace logger 234 configured by a log manager 220 to receive

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input from the log task manager 230 in order to respond to component and application requests from the component subsystem 270 to send log messages. *See*, e.g. *Ullmann*, col. 3, lines 21-25. However, nothing in *Ullmann* – including those passages relied upon by the Office Action in rejecting the above claims – provides details as to any existence or nature of either an application programming interface of message logger 232 or an application programming interface of trace logger 234. Necessarily, *Ullmann* therefore fails to disclose the variously claimed **common application programming interface of the tracing module and the logging module** whereby the tracing module and the logging module are accessed. Therefore, the reference fails to either expressly or inherently disclose at least one limitation of Applicants invention in as complete detail as set forth in the claims, as required by M.P.E.P. §2131.

For at least the foregoing reasons, *Ullmann* fails to anticipate each of independent claims 1, 10, 20, and 25. In depending directly or indirectly from one of these independent claims, each of dependent claims 2, 3, 5, 7, 14 and 19 incorporates at least one limitation not taught by *Ullmann*. Therefore, Applicants request that the above 35 U.S.C. §102(e) rejection of claims 1, 2, 3, 5, 7, 10, 14, 19, 20, and 25 based on *Ullmann* be withdrawn.

35 U.S.C. §103(a) Rejections

35 U.S.C. §103(a) Rejection over *Ullmann* and *Bartek*

The Office Action rejects claims 4, 9, 11-13, 15, 16, 21, 22, and 26-29 under 35 U.S.C. §103(a) as being obvious in light of *Ullmann* in view of Bartek et al., USPN 2003/0225872 (hereinafter "*Bartek*"). To establish *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by one or more prior art references. *See* M.P.E.P. § 2143.03. In rejecting the above claims, the Office Action relies on characterizations of *Ullmann* made the above-discussed 35 U.S.C. §102 rejections of independent claims 1, 10, 20, and 25. For at least the following reasons, Applicants traverse the above rejection.

As shown above, *Ullmann* fails to disclose at least one limitation in each of independent claims 1, 10, 20, and 25 – e.g. **a common application programming interface of a tracing module and a logging module** whereby the tracing module and the logging module are accessed. In rejecting the above claims, the Office Action fails to

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allege or otherwise indicate any basis for *Ullmann* and/or *Bartek* teaching or suggesting those claim limitations which *Ullmann* alone fails to expressly or inherently disclose. Applicants respectfully submit that no combination of *Ullmann* and *Bartek* teaches or suggests a common application programming interface of a tracing module and a logging module by which the tracing module and the logging module are accessed. Therefore, the cited references fail to either teach or suggest at least one limitation of the invention as variously recited in each of independent claims 1, 10, 20, and 25.

Accordingly, each of independent claims 1, 10, 20, and 25 is non-obvious in light of *Ullmann* and *Bartek*. If an independent claim is non-obvious under 35 U.S.C. §103, then any claims depending therefrom are also non-obvious. *See* M.P.E.P. §2143.03. For at least the foregoing reasons, Applicants request that the above 35 U.S.C. §103(a) rejection of claims 4, 9, 11-13, 15, 16, 21, 22, and 26-29 based on *Ullmann* and *Bartek* be withdrawn.

35 U.S.C. §103(a) Rejection over *Ullmann* in view of *Kougiouris*

The Office Action rejects claims 6, 8, 17, 18, 23, 24, and 30 under 35 U.S.C. §103(a) as being obvious in light of *Ullmann* in view of Kougiouris et al., USPN 2005/0028171 (hereinafter "*Kougiouris*"). In rejecting the above claims, the Office Action relies on characterizations of *Ullmann* made the above-discussed 35 U.S.C. §102 rejections of independent claims 1, 10, 20, and 25. For at least the following reasons, Applicants traverse the above rejection.

As shown above, *Ullmann* fails to disclose at least one limitation in each of independent claims 1, 10, 20, and 25 – e.g. **a common application programming interface of a tracing module and a logging module** whereby the tracing module and the logging module are accessed. In rejecting the above claims, the Office Action fails to allege or otherwise indicate any basis for *Ullmann* and/or *Kougiouris* teaching or suggesting those claim limitations which *Ullmann* alone fails to expressly or inherently disclose. Applicants respectfully submit that no combination of *Ullmann* and *Kougiouris* teaches or suggests a common application programming interface of a tracing module and a logging module by which the tracing module and the logging module are accessed. Therefore, the cited references fail to either teach or suggest at least one limitation of the invention as variously recited in each of independent claims 1, 10, 20, and 25.

Accordingly, each of independent claims 1, 10, 20, and 25 is non-obvious in light of *Ullmann* and *Kougiouris*, as are each of claims 6, 8, 17, 18, 23, 24, and 30 by virtue of their respective claim dependencies. *See* M.P.E.P. §2143.03. For at least the foregoing reasons, Applicants request that the above 35 U.S.C. §103(a) rejection of claims 6, 8, 17, 18, 23, 24, and 30 based on *Ullmann* and *Kougiouris* be withdrawn.

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CONCLUSION

For at least the foregoing reasons, Applicants submit that the objections and rejections have been overcome. Therefore, claims 1-30 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: May 6, 2008   /Dermot G.Miller/
                                 Dermot G. Miller
                                 Attorney for Applicants
                                 Reg. No. 58,309

                                 1279 Oakmead Parkway
                                 Sunnyvale, CA 94085-4040
                                 (503) 439-8778